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Attorneys for Plaintiff
VERIGY US, INC.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

VERIGY US, INC, a Delaware Corporation

Plaintiff,

vs.

ROMI OMAR MAYDER, an individual;
WESLEY MAYDER, an individual; SILICON
TEST SYSTEMS, INC., a California Corporation;
and SILICON TEST SOLUTIONS, LLC, a
California Limited Liability Corporation,
inclusive,

Defendants.

Case No. C07 04330 RMW (HRL)

**DECLARATION OF MELINDA M.
MORTON IN SUPPORT OF PLAINTIFF'S
ADMINISTRATIVE MOTION FOR
LEAVE TO FILE DOCUMENTS UNDER
SEAL**

Judge: Honorable Ronald M. Whyte
Ctrm: 6

1 I, Melinda M. Morton, declare as follows:

2 1. I am an attorney licensed to practice law before all of the courts of the State of
3 California. I am a partner with the law firm of Bergeson, LLP, counsel of record for Plaintiff
4 Verigy US, Inc. ("Verigy" or "Plaintiff") in the above-captioned action. I have personal
5 knowledge of the facts set forth in this declaration, and, if called to do so, I could and would
6 competently testify thereto.

7 2. I submit this declaration in support of Verigy's Administrative Motion for Leave to
8 File Documents Under Seal.

9 3. I have reviewed the following materials ("the Materials"): Memorandum of Points
10 and Authorities in Opposition to Wesley Mayder's Motion for Rule 11 Sanctions; Memorandum
11 of Points and Authorities in Opposition to Wesley Mayder's Motion for Summary Judgment;
12 Declaration of Robert Pochowski in Opposition to Wesley Mayder's Motion for Rule 11 Sanctions
13 & Motion for Summary Judgment and Exhibit A-D; Exhibits A and B to the Declaration of
14 Donald P. Gagliardi in Opposition to Wesley Mayder's Rule 11 Sanctions; Exhibits A and B to the
15 Declaration of Donald P. Gagliardi in Opposition to Wesley Mayder's Motion for Summary
16 Judgment.

17 4. I have determined that these Materials (hereafter "the Materials") disclose
18 information that has been designated as "Confidential" or "Highly Confidential – Attorneys' Eyes
19 Only" by the parties under the protective order, without objection to those designations (although
20 Verigy reserves its rights to challenge such designations pursuant to the Stipulated Protective
21 Order).

22 5. The confidentiality interest of the parties therefore overcomes the right of public
23 access to the record, as a substantial probability exists that the parties' overriding confidentiality
24 interest will be prejudiced if the record is not sealed. Further, the proposed sealing is narrowly
25 tailored and no less restrictive means exist to achieve this overriding interest.

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1 I declare under penalty of perjury under the laws of the United States of America that the
2 foregoing is true and correct and that this declaration was executed this 18th day of July, 2008 at
3 San Jose, California.

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5 /s/
6 Melinda M. Morton
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